FISCAL NOTE

HB 241 - SB 1511

February 23, 2001

SUMMARY OF BILL: Enacts the Tennessee Personal and Commercial Computer Protection Act of 2001 which makes it unlawful to use a computer or computer network without authority and with intent to:

- Remove, halt, or disable any computer data, program, software, or network;
- Cause a computer malfunction;
- Alter or erase computer data;
- Create or alter a financial instrument or electronic transfer of funds;
- Make an unauthorized copy of computer data, program or software;
- Forge electronic mail transmission information or other routing information in connection with transmission of unsolicited bulk electronic mail;
- Knowingly sell, give, or distribute software, which is designed for facilitating or enabling the falsification of electronic mail transmission.

Any person violating any of these provisions will be guilty of computer trespass, which will be graded and punished as theft. Any person injured by a violation of this act may sue and recover damages sustained and costs of the suit.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - $35,500/Incarceration*

Assumes two Class E felony convictions each year, one
Class D felony conviction each year, and one Class C and
Class B felony conviction every three years based upon the
grade of theft.

*Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

James A. Davenport

James A. Davenport, Executive Director

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